

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS R. INGRAO,

Plaintiff,

v.

JEREMY STOPPELMAN, et al.,

Defendants.

Case No. [20-cv-02753-EMC](#)

ORDER STAYING CASE

Plaintiff Nicholas Ingrao has brought a derivative action on behalf of Yelp against Defendants Jeremy Stoppelman, Charles Baker, and Joseph R. Nachman claiming that they breached their fiduciary duty to Yelp, Inc. (“Yelp”). Mr. Ingrao filed the instant action after submitting a pre-suit demand to the board of directors (the “Board”) of Yelp, which refused to act on it.

On November 30, 2020, the Court denied Defendants’ motion to dismiss because Defendants had not agreed to toll the statute of limitations on Mr. Ingrao’s claims. *See* Docket No. 40 (MTD Order). Shortly after the Court denied their motion to dismiss, however, Defendants represented to this Court that they entered into agreements to toll the statute of limitations on Mr. Ingrao’s derivative claims until a final determination by the Yelp Board concerning Mr. Ingrao’s derivative demand or ninety days following a final resolution of the related securities class action, *Davis et al. v. Yelp Inc. et al.*, No. 3:18-cv-0400-EMC (N.D. Cal. Filed Jan. 18, 2018) (the “*Davis Action*”), which is also pending before this Court. *See* Docket Nos. 41 (“Admin Mot.”); 43 (Joint Case Management Statement).

1 Accordingly, the Court hereby stays all proceedings in this action pending the resolution of
2 the *Davis* Action. The parties are instructed to file a joint status report no later than thirty (30)
3 days after the resolution of the *Davis* Action.

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5 **IT IS SO ORDERED.**

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7 Dated: December 14, 2020

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10 EDWARD M. CHEN
11 United States District Judge
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